



Congress of the United States
House of Representatives
Washington, DC 20515

October 29, 2020

Carol Fortine Ochoa
Inspector General
General Services Administration
1800 F St NW
Washington, DC 20405

Inspector General Ochoa,

We write to you today deeply concerned by reports that the Trump Administration is subverting ethics laws and abusing the federal contracting process to place individuals at the helm of Operation Warp Speed (OWS), the Administration's vaccine research and development efforts, without subjecting them to the ethics and conflict of interest requirements that apply to government employees. It is imperative that Operation Warp Speed succeed, and this success is contingent upon Americans being able to trust that the vaccine is safe and the individuals running OWS are acting with integrity, solely in the public interest, based on the scientific evidence.

Abiding by clear and longstanding ethics guidelines prevents distrust and confusion. The Administration is harming public trust in the vaccine effort by abusing loopholes in federal contracting law to evade ethics requirements. Given our concerns, we ask that you conduct a review of the process through which Dr. Moncef Slaoui was hired through Advanced Decision Vectors, LLC as a contractor to serve as chief scientist for Operation Warp Speed.

Operation Warp Speed is a multi-billion dollar public-private venture to develop an effective vaccine and treatment for coronavirus disease 2019 (COVID-19) caused by the 2019 novel coronavirus.¹ So far, the Department of Health and Human Services (HHS) has invested nearly \$10 billion in Operation Warp Speed.² Dr. Moncef Slaoui was appointed as the chief scientist of Operation Warp Speed in May 2020.³ Dr. Slaoui is the former Chairman of Global Research and Development and Chairman of Global Vaccines at GlaxoSmithKline. When he was appointed to the position, he was working as a Partner at Medicxi Venture Capital and served as the Chairman of the Board at Galvani, a bioelectronics research

¹ Fact Sheet: Explaining Operation Warp Speed, Department of Health and Human Services, Retrieved at: <https://www.hhs.gov/about/news/2020/06/16/fact-sheet-explaining-operation-warp-speed.html>

² Trump Administration Announces Framework and Leadership for 'Operation Warp Speed', Department of Health and Human Services, Retrieved at: <https://www.hhs.gov/about/news/2020/05/15/trump-administration-announces-framework-and-leadership-for-operation-warp-speed.html>

³ Trump Administration Announces Framework and Leadership for 'Operation Warp Speed', Department of Health and Human Services, Retrieved at: <https://www.hhs.gov/about/news/2020/05/15/trump-administration-announces-framework-and-leadership-for-operation-warp-speed.html>

and development company owned by GlaxoSmithKline and Verily Life Sciences.⁴ At this time, he still holds about \$10 million in GlaxoSmithKline stock and remains a Partner in Medicxi. GlaxoSmithKline has joined with another pharmaceutical company, Sanofi, to attempt to find a vaccine.⁵ Dr. Slaoui has indicated that he will not divest from his GSK holdings, claiming that “GSK ...that’s really my retirement. Because GSK shares paid dividend. And I want to use that dividend.”⁶

Under federal law, Dr. Slaoui would, if he were a federal employee, be required to fully disclose and divest all of his holdings that present a potential conflict of interest.⁷ But instead, he was brought on as a contractor via a contract with Advanced Decision Vectors, LLC., under which he was reportedly paid \$1 for his services. As a result, he is exempt from federal ethics rules, allowing him to retain his GSK stock and other holdings. Dr. Slaoui has “maintained that as a consultant, he is only offering advice and not making decisions,” but this assertion raises additional questions and appears implausible given his leading role as one of two individuals in charge of Operation Warp Speed, this seems implausible.⁸ In an October 5, 2020 interview with the *New York Times*, Dr. Slaoui described his role in numerous ways, indicating that he is in fact, a key decision maker. He said that he had a “significant influence” in his role, and that before accepting the role, he insisted that he be “empowered with no interference. ...And to not have to deal with the bureaucracy and just drive through it.”⁹ And he agreed with the interviewer’s assertion that he “ha[s] this influence on major government decisions. ... the ability to persuade people to direct money in ways that might benefit [him].”¹⁰

Though Dr. Slaoui had said he would accept a payment of only \$1 for his services, *Politico* reported earlier this week that the arrangement is covered through a \$611,500 contract with ADV.¹¹ The contract is reportedly meant to cover housing expenses for Dr. Slaoui, as well as other former pharmaceutical executives working on the project,¹² including Carlo de Notaristefani, Former Executive Vice President of Global Operations for Teva Pharmaceutical,¹³ who is overseeing the program's manufacturing for HHS.¹⁴ According to the report, the contract also includes William Erhardt and Rachel Harrigan, who are both former Pfizer executives. Harrigan is listed as a clinical adviser in the HHS directory.¹⁵ Like Dr. Slaoui, because these individuals have been hired as private contractors, they are not subject to the same strict ethics rules as federal employees.

⁴ GSK, GSK and Verily to establish Galvani Bioelectronics – a new company dedicated to the development of bioelectronic medicines, August 1, 2016, <https://www.gsk.com/en-gb/media/press-releases/gsk-and-verily-to-establish-galvani-bioelectronics-a-new-company-dedicated-to-the-development-of-bioelectronic-medicines/>.

⁵ Sanofi, Sanofi and GSK initiate Phase 1/2 clinical trial of COVID-19 adjuvanted recombinant protein-based vaccine candidate, Sep. 3, 2020, <https://www.sanofi.com/en/media-room/press-releases/2020/2020-09-03-07-00-00>.

⁶ Interview with Kara Swisher, “The Man Behind America’s Race for a Vaccine,” *New York Times*, Retrieved at: <https://www.nytimes.com/2020/10/05/opinion/sway-kara-swisher-moncef-slaoui.html?showTranscript>

⁷ 5 U.S.C. §§ 2104 and 2105.

⁸ Vaccine project contract raises transparency questions, *Politico*, Retrieved at: <https://www.politico.com/news/2020/07/31/vaccine-project-contract-raises-transparency-questions-389822>

⁹ *New York Times*, as cited.

¹⁰ *New York Times*, as cited.

¹¹ *Politico*, as cited.

¹² Department of Health and Human Services Contract with Advanced Decision Vectors LLC, USA Spending, Retrieved at: https://www.usaspending.gov/#/award/CONT_AWD_75N98020F00001_7529_75N98019D00020_7529

¹³ *PharmaLetter*, Brief: Teva’s EVP Global Operations to Retire, Feb. 10, 2019, <https://www.thepharmalatter.com/in-brief/brief-teva-s-evp-global-operations-to-retire>

¹⁴ *Politico*, as cited.

¹⁵ *Politico*, as cited; HHS Staff Directory, viewed on October 28, 2020, <https://directory.psc.gov/hhsdir/eeQ.asp>.

What appears to be happening is a clear and inappropriate use of the federal contracting process, and a misclassification of Dr. Slaoui as a contractor when he should be classified as, and have all the rights and responsibilities of, a federal employee.

Given that there appears to be a clear abuse of the federal contracting process to allow Dr. Slaoui to evade federal ethics rules, we ask you to conduct a full review the Advanced Decision Vectors, LLC. contract for Operation Warp Speed, and Dr. Slaoui's role as a contractor for Operation Warp Speed, and examine as part of that review:

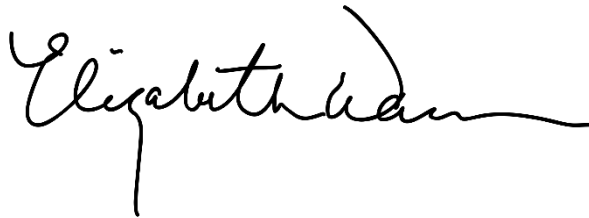
1. The contracting process by which Advanced Decision Vector LLC was chosen by HHS as a contractor for Operation Warp Speed, and by which Dr. Slaoui was hired to serve as chief scientist for Operation Warp Speed.
2. Whether Dr. Slaoui or any other individuals contracted by ADV are acting consistent with federal law as a contractor, or whether they have been misclassified and should in fact be serving as federal employees.

We must do all that we can to make certain that Americans can trust the vaccine development process and have confidence that the individuals running the process are acting in the public interest, not their own financial interests. We thank you for your attention to this important issue, and we look forward to your reply by November 19, 2020.

Very Truly Yours,



KATIE PORTER
Member of Congress



ELIZABETH WARREN
United States Senator